

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
 CIVIL REVIEW PETITION NO. 6 OF 2007
 in
 APPEAL FROM ORDER NO. 317 OF 2007
 in
 NOTICE OF MOTION NO.2809 OF 2005
 in
 L.C.SUIT NO.3182 OF 2005

Shri Jiva Hirji Patel & anr.

Petitioners
 (Orig.Plaintiffs)

vs

The Municipal Corporation ..
 of Greater Mumbai

Respondents
 (Orig.Defendants)

and REVIEW PETITION NO. 7 OF 2007
 in
 APEAL FROM ORDER NO.318 OF 2007
 in
 NOTICE OF MOTION NO.28 OF 2005
 in
 L.C.SUIT NO.57 OF 2005

Mr.P.K.Dhakephalkar,Sr.counsel
 for
 Ms.Geeta Joglekar
 Mr.Vijay Hegde

i/b

Mr.Nitin Gangal
 Petitioners
 no.1
 Respondent
 Respondent
 no.2

CORAM : A.S.OKA, J

DATED : 30th July, 2007

P.C.

1. The learned senior counsel appearing for the
 review petitioners (Original Planitiffs) states
 that a Chamber Summons has been taken out by the
 petitioners in the trial Court for amendment of the
 plaint for the purposes of relying upon certain
 documents which are referred to in the Review

Petitions. In the circumstances, he seeks

permission to withdraw the Review Petitions with
 liberty to prosecute the Chamber Summons.

Accordingly, Review Petitions are dismissed as withdrawn. It is obvious that the trial Court will decide the pending Chamber Summons on its own merits without being influenced by the disposal of the Review Petitions. All contentions of the parties in the Chamber Summons are expressly kept open. At this stage, learned senior counsel appearing for the petitioners seeks continuation of the ad intrerim order passed by this Court on 25th July, 2007. The said prayer is opposed by learned counsel appearing for the 2nd respondent.

2. Only with a view to enable the review petitioners to apply for appropriate relief before the trial Court, it is directed that status quo as of today will be maintained for a period of one week. It is made clear that continuation of the ad interim order is not on merits but, it is only to facilitate the review petitioners to move the trial Court. The trial Court will decide any application made by the review petitioners on its own merits without being influenced by continuation of the ad interim relief granted by this court.

(A.S.Oka, J)

